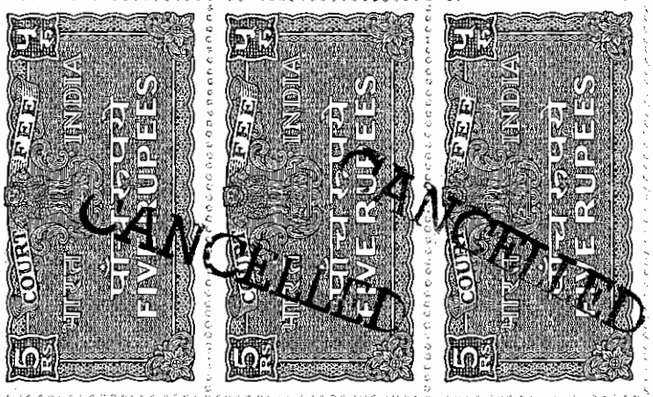

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Misc. Appeal No. 652 Of 2004

(Memorandum of Misc. Appeal U/s 173 of Motor Vehicles Act)

APPELLANT : Akbar Khan S/o Rasul Khan, aged about 25 years, resident of Navrangpur, Tehsil Vajila Navrangpur (Orissa).

Versus

RESPONDENTS :

1. Salim Khan S/o Babukhan, aged about 27 years, r/o Sanjay Nagar Kanker District Kanker (CG).

2. Smt. Jamila W/o Abdul Rashid r/o Near Masjid Kanker District Kanker.

3. Oriental Insurance Company Limited Kachhari Chowk, Jail Road, Raipur.

Note: Respondents no.4,5,6 have been exempted, therefore they have not been made party in this appeal.

P.R. No. 1016/04
Sunil Sahu
15-4-04

MISC.APPEAL UNDER SECTION 173 OF MOTOR VEHICLES ACT

22

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 652/2004

Appellant : Akbar Khan

Versus

Respondents: Salim Khan and others.

(Arising out of Claim Case No. 289/2002)

02-12-2006

Shri Sunil Sahu, counsel for the appellant.

None for respondents No.1 & 2.

Shri Anand Kumar Gupta, Administrative Officer, the Oriental Insurance Company Limited with Smt. Chitra Shrivastava, counsel for respondent No.3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.23,000/- (Rupees Twenty-three Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the direction and ratio adopted by the Tribunal, if any, shall follow.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondent No.1 and 2 stands dismissed.
6) Out of the above amount, Rs.230/- (Rupees Two hundred thirty only) shall be paid to counsel for the appellant directly by the Insurance Company towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/- 2/12/06

(Justice Vijay Kumar Shrivastava)
High Court of Chhattisgarh
Bilaspur

Sd/- 2.12.06

Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur